

AIRPORT LAND USE COMMISSION
San Luis Obispo County
Minutes of November 16, 2005

The Minutes below are in draft form. This means they have not yet been reviewed by nor approved by the Airport Land Use Commission. Action for approval will be taken at a future Airport Land Use Commission meeting. Approval may require changes to the DRAFT version shown below.

Minutes of the Regular Meeting of the Airport Land Use Commission held in the (new) County Board of Supervisors Chambers, County Government Center, 1055 Monterey Street, Room D170, San Luis Obispo, CA., at 1:30 p.m.

PRESENT: COMMISSIONERS JIM BINGER, JIM HEGGARTY, TERRY ORTON, RICHARD POTTRATZ, ROBERT TEFFT, GERRIT VANDERZIEL, AND CHAIRMAN ROGER OXBORROW

ABSENT: NONE

STAFF: BILL ROBESON, AIRPORT LAND USE COMMISSION PLANNER
KLAASJE NAIRNE, OCEANO AND SAN LUIS OBISPO COUNTY
REGIONAL AIRPORTS MANAGER
MARTIN PEHL, ASSISTANT AIRPORTS MANAGER
CAROLYN HUBER, OPERATIONS SUPERVISOR AND NOISE
COORDINATOR

OTHER: RAY BIERING, DEPUTY COUNTY COUNSEL

The meeting is called to order by Chairman Oxborrow.

The following action minutes are listed as they were acted upon by the Airport Land Use Commission and as listed on the agenda for the Regular Meeting of November 16, 2005, together with the maps and staff reports attached thereto and incorporated therein by reference.

Roll call

Public Comment: None

1. **Minutes** of October 19, 2005, are submitted for approval. **Thereafter, on motion of Commissioner Tefft, seconded by Commissioner Orton, and unanimously carried, the minutes of October 19, 2005, are approved as presented.**

2. Staff Updates:

- a. Bill Robeson gives an update on the California Coastal Commission (CCC) appeal of the Mueller/Oceano Pavilion project. He states the CCC action was approval of a 16-unit hotel, which included conditions for the protection of environmental habitat and street abandonment.

CONSENT:

3. This being the time set for to consider a request by the **City of San Luis Obispo** for additional preparation time to provide the Airport Land Use Commission with a Disclosure document, which was a condition in the consistency determination for the **Four Creeks** rezoning project at the October 19, 2005 hearing.

Bill Robeson notes the City of San Luis Obispo (SLO) is requesting additional time to prepare Disclosure document that was requested for the Consistency determination of the 4 Creeks project at the October 19, 2005, Airport Land Use Commission (ALUC) meeting. He states City staff is asking for a continuance to the December ALUC meeting or January in the event the ALUC does not have a December meeting.

Ray Biering discusses the language in the Disclosure document and recommends Bill Robeson work with City staff to meet the requirements of the ALUC.

Matter is fully discussed, thereafter on motion of Commissioner Heggarty, seconded by Commissioner Vanderziel, and unanimously carried this Commissioner continues the above item to December 21, 2005, at 1:30 p.m.

DISCUSSION:

4. **Preliminary** discussion of a Proposed Amendment to the Airport Land Use Plan for a proposal for the **H. Brazil Property, APN 044-082-033 & 035**, SR 227 between Los Ranchos Road and Crestmont Drive, in the County of San Luis Obispo.

Bill Robeson states Mr. Brazil and his agent, Carol Florence/Oasis Associates, are requesting a preliminary discussion of the above item. He describes the project with overhead displays and states the proposed project came before the ALUC as a discussion item in April 2005, He comments on the issues with this project; describes the site location and states he is available for questions.

Carol Florence, Agent/Oasis Associates, comments on the project when it was previously presented at the April 2005 ALUC meeting by another agent. She discusses the preliminary project that is presented today and asks the ALUC to take another look at this property with hopes to amend the San Luis Obispo

County Regional Airport Land Use Plan (ALUP) to allow this proposal. She discusses looking specifically at infill properties, getting input from the ALUC and bringing this information forward in a proposal. She presents a power point presentation to discuss her client's proposal, asks for an opportunity to come up with an acceptable solution to move forward with this proposal and states she is available for questions.

Commissioner Heggarty states the ALUC just completed the amendment to the ALUP, states he is reluctant to see another amendment to the ALUP so soon and questions if the agent has a compelling argument that the commission has not heard before.

Carol Florence comments on the efforts she and her client, Mr. Brazil, will make to return to the ALUC to request this amendment taking into consideration the efforts for the recent ALUP amendment.

Commissioner Heggarty comments on the request to compromise and the concerns for safety.

Carol Florence discusses a compromise with zoning, and comments on the family concerns.

Chairman Oxborrow states the commission is willing to entertain a further presentation to this proposal.

Commissioner Heggarty recommends having a subcommittee meet with the applicant rather than whole commission to review a proposal and have the subcommittee report back to commission with recommendations. Commissioner Tefft discusses the amendment process, the impact of the recently approved ALUP on this property; and states this is clearly not compatible with the ALUP. He feels if the ALUC is willing to proceed in this process they should agree on that today. Commissioner Pottratz concurs with Commissioner Tefft that this proposal is not compatible with the ALUP and feels it would be misleading to the agent and applicant to recommend that they proceed with their proposal.

Mr. Brazil describes the timeframes of his discussions with the County Planning Department regarding the purchase of this property and states he entered into a contract based on advise he received from the Planning Department. He states he did not know the ALUC existed or the rules of ALUP regarding this property location. He explains he is making this request today as a way of getting some of the money back for this investment and relieve the hardships on his family. He questions limiting the residences for this proposal, states he understands the issues raised by the ALUC and feels that not everyone will complain about Airport noise. He questions using disclosure documents for putting some houses on this property so he can recover from an investment that he thought he was going to be able to move forward with.

Chairman Oxborrow comments on the limitations under the ALUP that direct this Commission and discusses the need for significant justification to overcome this decision.

Carol Florence discusses the criteria to determine whether or not these areas could be defined as infill and states she does not feel this is a new issue as it relates to the CalTrans handbook. She feels she can make a compelling argument and requests an opportunity to see if a compromise can be made for proposing infill projects.

Commissioner Tefft comments on infill, safety issues, the recent amendments to the ALUP and reconsideration of this proposal by the ALUC. Chairman Oxborrow discusses other avenues for the applicant to pursue their alternatives and states based on this, the ALUC will be able to work with the applicant for consideration and discussion.

Carol Florence states she appreciates the ALUC consideration and she will bring back a comprehensive package to discuss a new proposal.

Public Comment: no other persons come forward for comment on this item.

Chairman Oxborrow questions if the commission would like to choose a committee to discuss this proposal. Commissioner Orton notes at last meeting this request was declined and recommends looking at this as a sending site and for the agent to work with County staff. Chairman Oxborrow states the application does have the freedom to bring forward information that can be reviewed by the ALUC as a discussion item. Commissioner Tefft refers to the comments made by Commissioner Orton, discusses modifying the plans for property that are consistent with the ALUP and recommends key elements to pursue in the future for zoning and other properties in the area that would be commonly effected by this land use policy change.

Carol Florence states they would be able to bring other property owners comments forward; and adds if the client had been aware of the ALUC he would have made other decisions when purchasing this property.

Commissioner Heggarty recommends trying to find other uses besides residential.

Carol Florence requests clarification on the complaints in this area from a safety standpoint.

Commissioner Tefft responds with the runways impacted and discusses the significant flight risks in this area.

Mr. Brazil comments on plane crashes verses auto accidents; on awareness of people living near an airport; on the ALUP and CalTrans Handbook, and dealing with the airport complaints. He feels he can bring a proposal forward to deal with the ALUC issues and other uses that have been considered.

Chairman Oxborrow states he will look for the applicant to bring suggested alternatives back to the ALUC for reconsideration. Commissioners further comment on staff looking into other uses for this area.

Bill Robeson responds he will explore other alternatives for this proposal.

5. **Airport Noise Complaints presentation by Carolyn Huber, County General Services.**

Carolyn Huber, San Luis Obispo County Regional Airports Operations Supervisor and Noise Coordinator, presents a power point presentation on Airport Noise Complaints. She further comments on the complaints and impact to public, sensitivity of noise impact, and mitigating noise issues. She comments on the primary noise complaints, follow-up, response and actions. She discusses tracking the noises and how the data is labeled/named, the purpose of this presentation, and examples of complaints, frequency of some complaints and follow-ups that have been made.

Commissioners question the areas of the complaints and if traffic noise has been included with the noise complaints. Carolyn Huber responds with complaint areas and states only Airport noise complaints are considered. Commissioner Heggarty recommends comparing the Airport noise to traffic noise.

Klaasje Nairne, Airports Manager, comments on traffic noise, airport noise, and visual impact by the flight noise. She discusses the noise programs the Airport has, the outreach efforts made by the Airport and states she is available for questions.

Mr. Brazil questions if the Airport addresses the noise complaints with any outside help with Klaasje Nairne responding. Mr. Brazil further comments on road and airport noise.

Chair Oxborrow states he appreciates Ms. Huber's presentation and requests this information be presented to the ALUC on an ongoing basis.

John Granzell, resident south of Tank Farm Road, states he has been one of the persons submitting noise complaints. He comments on his history living in this area and his expectations when he purchased his property. He comments on his complaints of the excessive helicopter overflight noise and the response by the Airport to change the flight pattern to reduce the noise. He thanks the Airport for responding to this issue.

Jim Lopes, resident on Sweet Lane in San Luis Obispo, states he is a county employee, but he is here as a private citizen to address the flight noise over his residence. He submits correspondence (Exhibit A) regarding noise complaints and letters he has sent to the Tribune newspaper. He comments on the complaint calls he has made, the response of Airport staff, and feels if people want to view the city by air they should chose a less impacting route. He discusses different types of planes and noise impact in the South Street neighborhood and comments on the Helicopter training pattern over Tank Farm Road and the Islay Hill area. He requests the ALUC work with the Airport and Pilots Association to look into flight patterns which would avoid these city areas and states he would be willing to work with a subcommittee on this issue.

Commissioner Tefft comments on persons purchasing homes in the Airport area, and discusses the need for adequate disclosure forms be attached to these home purchases. Commissioners further discuss correspondence from the ALUC to the cities addressing disclosure documents and using the Airport data for the disclosure documents. **No action taken.**

Meeting recess.

Meeting Resumes [Ray Biering, County Counsel steps down for the remainder of the meeting]

6. Subcommittee Report for the formulation of the Draft Oceano Airport Land Use Plan (ALUP).

Bill Robeson states the subcommittee members: Commissioners Tefft, Vanderziel, Binger and himself have reviewed the comments submitted by Commissioner Pottratz. He comments on the handout submitted by Commissioner Tefft today (Exhibit B) to existing the Exhibit A in today's packet.

Commissioner Pottratz requests additional time to review the changes Commissioner Tefft submitted today. Commissioners Heggarty and Vanderziel concur with Commissioner Pottratz, and Commissioner Vanderziel feels the subcommittee should meet again to review the handout (Exhibit A) received today. Commissioner Pottratz comments on the Matrix on page 27, feels this should be simplified and recommends not listing every possible land use. He feels is should list special uses and hazardous uses, and base the land use on density used in a previous table. Commissioner Orton comments on discussing County Land Use Ordinance (LUO) reference in this document. Commissioner Tefft comments on the unique situation with the Oceano ALUP. He discusses the existing uses in this area and the purpose of the matrix and zoning reference in the LUO. Commissioners further discuss the purpose and use of a matrix in the document, making the document a stand-alone document, format of the matrix, and standards for the ALUP. Commissioner Tefft recommends deleting the references to local ordinances and Commissioner Pottratz discusses simplifying

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the matrix keeping the special uses in the table and go to density on the others. Commissioners further discuss the matrix. Commissioner Orton states he is in favor of matrix, concurs with Commissioner Tefft, and raises the discussion of mixed uses. Commissioner Tefft refers to his handout, page 20 and the definition for Residential Land Use and Mixed Uses. Commissioners further discuss land uses and the handout today by Commissioner Tefft. Commissioner Pottratz requests a reprint of the preliminary draft with the changes recommended.

Bill Robeson requests this working document be called a preliminary study report rather than Draft ALUP and states when it becomes draft document it will be properly noticed to the public. He comments on Mixed Use on Pier Ave, the interests by the County and the Oceano community and direction for the ALUP.

No Action taken.

Commissioner Pottratz questions if the Dalidio project has progressed. Bill Robeson responds that a letter by the applicant was submitted to the Chairperson of the Board of Supervisors and the applicant has been asked to submit a proposal.

Commissioners discuss canceling the December 21, 2005 meeting and Chairman Oxborrow directs staff to review the items submitted to determine if a December meeting is needed.

There being no further business, this meeting is adjourned to December 21, 2005, at 1:30 p.m., (new) County Board of Supervisors Chambers, County Government Center, 1055 Monterey Street, Room D170, San Luis Obispo, CA.

Respectfully submitted,

Chris Macek, Secretary
Airport Land Use Commission